



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of : Attorney Docket No.
Applicant: Daniel PARTLOW : PARTLOW2
Application No.: 10/751,086 :
Filed: January 2, 2004 : September 20, 2004
For: "SYSTEM, METHOD AND COMPUTER :
PROGRAM FOR CREATING AND VALUING :
FINANCIAL INSTRUMENTS LINKED TO :
AVERAGE CREDIT SPREADS" :
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MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 CFR § 1.10, 37 CFR § 1.182 AND ANY OTHER APPLICABLE RULE
TO GRANT ORIGINAL FILING DATE (APPLICATION WAS COMPLETE)

SIR:

With respect to the Notice to File Missing Parts of Nonprovisional Application mailed June 18, 2004, applicant hereby respectfully petitions under 37 CFR § 1.10, 37 CFR § 1.182, and any other applicable rule, for the grant of the filing date of January 2, 2004 shown on the return receipt postcard and filing receipt with respect to all the application papers filed on January 2, 2004.

The outstanding Office communication indicates that all pages of the application filed by the applicant (which the Office acknowledged receiving) were not subsequently in the Office's file. In fact, the application was complete when filed. Copies of the complete application are attached.

Moreover, the Office has acknowledged (by postcard) that the application was complete when filed. Apparently, the specification pages were lost by the Office through no fault of the applicant. It is also noted on the Notice that pages 83 and 84 are missing from the application on file. In fact, page 84 of the description and claims of this application does not exist.

09/24/2004 MAHME1 00000003 10751086

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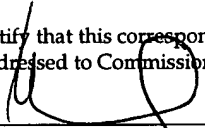
In light of the evident completeness of the application, including the presence of at least one claim, as filed on January 2, 2004, Applicant hereby respectfully requests confirmation of filing on January 2, 2004.

Applicant also requests that the petition fee of \$130.00 submitted herewith, be refunded to the undersigned's PTO Deposit Account No. 08-0570 as the complete application was properly filed. The Commissioner is hereby authorized to charge payment of the fees associated with this communication or credit any overpayment to Deposit Account No. 08-0570.

Respectfully submitted,

By: 

Anthony H. Handal Reg. No. 26,275
Roger Pitt Reg. No 46,996


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, postage prepaid, addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on September 20, 2004.

Anthony H. Handal Reg. No. 26,275
Roger Pitt Reg. No. 46,996